

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

HORN et al.

Serial No. 09/748,144

Filed: December 27, 2000

For: METHOD AND APPARATUS FOR AUTOMATED CRACK BEHAVIOR  
PREDICTION DETERMINATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Application Branch

Atty: Dkt. 1585-257

Date: May 18, 2001



*Sec 101*

The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone OR  
☐ Signed Declaration plus attached copy of originally filed specification/drawings.  
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
☒ Record and return the attached assignment.  
☐ Priority is hereby claimed per Rule 55 & 35 USC119 based on prior foreign application(s) Nos.:  

Application Nos.	Country	Filing Date
------------------	---------	-------------

respectively.

- ☒ This application is based on the following prior provisional application(s):

**Application No.**

**Filing Date**

60/211,490

14 June 2000

respectively and priority is hereby claimed therefrom.

Certified copy(ies) of foreign and/or provisional application(s): ☐ attached; ☐ already filed on \_\_\_\_\_ in  
U.S. Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

☐ The undersigned verifies that the above-identified application is identical to: \_\_\_\_\_ filed \_\_\_\_\_, as  
amended on \_\_\_\_\_.

☐ This application is entitled to "Small entity" status. ☐ "Small entity" statement attached.

☒ Also attached: Exclusive Substitute Power of Attorney by Assignee with copy of Assignment  
attached

**Fees due are calculated below:**

Basic filing fee					\$	710.00
Total Effective claims	5	- 20 =	0	x \$	\$	0.00
Independent claims	3	- 3 =	0	x \$	\$	0.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)						\$ 0.00
<b>FILING FEE</b>						\$ 710.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months; \$1390.00/4 months)						\$ 0.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted						\$ 130.00
<b>FIRST SUBTOTAL</b>						\$ 840.00
If "small entity," enter half (1/2) of subtotal and subtract						-\$ 0.00
<b>SECOND SUBTOTAL</b>						\$ 840.00
Assignment Recording Fee (\$40.00)						\$ 40.00
<b>TOTAL FEE DUE</b>						\$ 880.00
Check enclosed (Pre-Bill)*						\$
Check enclosed (non Pre-Bill)*						\$ 880.00
<b>TOTAL FEE ENCLOSED</b>						\$ 880.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or  
which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our  
**Account No. 14-1140.** A duplicate copy of this sheet is attached.

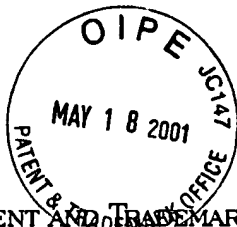
1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
AMK:jl

**NIXON & VANDERHYTE P.C.**

By Atty: Alan M. Kagen, Reg. No. 36,178

Signature: Alan M. Kagen

\*For N&V internal accounting purposes.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/748,144	12/27/2000	Ronald Martin Horn	1585-257

CONFIRMATION NO. 3292

## FORMALITIES LETTER



\*OC000000005952133\*

NIXON & VANDERHYE P.C.  
8th Floor  
1100 North Glebe Road  
Arlington, VA 22201

Date Mailed: 04/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/21/2001 EABURAK1 00000056 09748144

01 FC:101 710.00 OP  
02 FC:105 130.00 OP